

**UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA**

GARY REED and TOM VEVEA, *as Trustees of the Minnesota Laborers Health and Welfare Fund and Minnesota Laborers Pension Fund*, JAMES BRADY and KEITH KRAMER, *as Trustees of the Minnesota Laborers Vacation Fund*, GARY REED, DAN OLSON and CHRIS BORN, *as Trustees of the Minnesota Laborers Employers Cooperation and Education Trust, and each of their successors*,

Civil No. 09-3635 (JRT/JSM)

ORDER

Plaintiffs,

v.

NADEAU EXCAVATING, INC.,

Defendant.

Pamela Hodges Nissen, **ANDERSON, HELGEN, DAVIS & NISSEN, LLC**, 150 South Fifth Street, Suite 3100, Minneapolis, MN 55402, for plaintiffs.

Eric Brever, **FOSTER & BREVER, PLLC**, 2812 Anthony Lane South, Suite 200, St. Anthony, MN 55418, for defendant.

The Court having been advised that the defendant filed an answer to the complaint on the same date as the Clerk's Entry of Default, and for good cause shown, *see* Fed. R. Civ. P. 55(c),

IT IS HEREBY ORDERED that the Clerk's January 25, 2010, Entry of Default [Docket No. 6], is set aside and thereby vacated.

DATED: March 24, 2010
at Minneapolis, Minnesota.

s/ John R. Tunheim
JOHN R. TUNHEIM
United States District Judge